(5)

P.R. No. 3483/06
Presented by Shri S.R. Jaiswal
Date 10/7/06

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

SINGLE BENCH

WRIT PETITION NO. 3413 OF 2006

PETITIONER :

Smt. Jayant Devi Kant, W/o Shri D.S. Kant, Aged about 46 years, working as Assistant Teacher, Boys Primary School, Suryakala, District Korba (CG).

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Versus

RESPONDENTS :

1. State of Chhattisgarh Through the Secretary, Department of Tribal Welfare, D.K.S. Building, Mantralaya, Raipur, Chhattisgarh.

2. Collector, Korba (CG).

3. Assistant Commissioner, Department of Tribal Welfare, Korba (CG).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.3413/ **सन् 2006**

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	12-7-2006 Mr. S.R.J. Jaiswal, counsel for the petitioner. Miss Deepali Pandey, Panel Lawyer for the State/respondents, on advance copy. Heard both the counsel, on admission. By this writ petition, the petitioner has challenged the order dated 30-6-2006 passed by respondent No.3, whereby the petitioner has been transferred from Primary School, Chhuri, District: Korba to Primary School, Jamnimuda, Katghora. The grievance of the petitioner is that she is a lady and her husband is working at Chhuri as Professor, Higher Secondary School, therefore, as per the Government policy, the petitioner ought not to have been transferred. Moreover, one Vishwanath Karsh was transferred from Podi Upreda on a complaint, he was the junior most person at the place, therefore, he ought to have been adjusted under the adjustment policy. Learned counsel for the petitioner submits that the petitioner has already made a representation to respondent No.3, therefore, respondent No.3 be directed to decide the representation. But, clause 7 of the policy under which the petitioner has been adjusted provides for a provision to appeal against the order impugned and the same has not been availed by the petitioner. Equal efficacious remedy is available to the petitioner, therefore, instead of filing this writ petition, the petitioner ought to have filed appeal and raised all her grievances. The writ petition is therefore, liable to be dismissed and it is hereby, dismissed, in limine. Consequently, M.(W.)P.No.2619/2006 and I.A.No.6687/2006 stand disposed of. **Sd/-** **L.C. Bhadoo**	

Soma

14.7.06 14.7.06